IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION NO.3300 OF 2004

1. Rakeshkumar Ramnihor Saroj .. Applicant.

Vs

The State of Maharashtra, .. Respondent

Ms Jyotsna V.Vyas i/b Mr.O.P.Pandya, for the applicant.

Mr K.V.Saste, APP for the respondent.

CORAM : D.B.BHOSALE,J.

DATE : 24th AUGUST, 2004.

PC:

1. Heard the learned counsel for the parties.

2. The applicant has approached this Court for being released on bail in C.R.No.I-21/2004 registered at Vani Police Station mainly under section 302 of Indian Penal Code.

3. It is the prosecution case that on 7.3.2004 all the accused committed murder of one Premsingh Sundersingh. In so far as the present applicant is concerned, he is alleged to have assaulted the deceased with wooden plank. The occurrence was witnessed by four eye-witnesses. All the eye-witnesses in their statements attributed the specific overtact to the applicant. Considering the statements of the

eye-witnesses, viz. Parmeshwar Gupta, Ramajor Prajapati, Rajdeo Pande, Kailash Kaisher, in my opinion, there is sufficient material to show the complicity of the applicant. The post mortem report also supports ocular versions of the witnesses. In my opinion, this is not a fit case to release him on bail. The application is rejected.

. While rejecting this application, I shall not be understood to have expressed any opinion on merits of the case. The Sessions Court shall decide the case uninfluenced by the observations made in this order.

(D.B.BHOSALE, J.)